

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TREBCO SPECIALTY PRODUCTS INC.,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS, AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE A HERETO,

Defendants.

ORDER OF DEFAULT

21 Civ. 9238 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

WHEREAS the Complaint in this case was filed on November 8, 2021 (Dkt. No. 1);

WHEREAS on February 1, 2022, this Court granted Plaintiff's application for a temporary restraining order; an order restraining merchant storefronts and Defendants' assets with financial institutions; an order to show cause as to why a preliminary injunction should not issue; an order authorizing bifurcated and alternative service by electronic means; and an order authorizing expedited discovery (Dkt. No. 28);

WHEREAS Plaintiff served the Summons, Complaint, TRO, all supporting papers, and the Court's scheduling orders on each Defendant by February 24, 2022, in accordance with the order authorizing alternative service (Dkt. No. 33);

WHEREAS on April 5, 2022, this Court conducted a preliminary injunction hearing as to all the Defendants listed in Amended Schedule A to the Complaint, except for Defendant Pat's Monograms;

WHEREAS Plaintiff and Defendant Jinchanel appeared at the preliminary injunction hearing, but no other Defendants appeared;

WHEREAS on April 21, 2022, this Court issued a preliminary injunction as to all Defendants listed in Amended Schedule A to the Complaint, except Defendant Pat's Monograms (Dkt. No. 67);

WHEREAS since the Complaint was filed, Plaintiff has voluntarily dismissed its claims against 74 of the 109 Defendants listed in Schedule A to the Complaint (Dkt. Nos. 21, 26, 59, 61, 69, 71, 83, 87, 90, 93, 97);

WHEREAS on May 23, 2022, Plaintiff obtained a certificate of default against the remaining 35 Defendants: Angelbaby Go Store, Baby & Mother's Store, brightii Store, Honeykids Store, In the warm spring Store, LovelyChild Store, Mami's love, pudcoco Official Store, Valley of the Winds maternal infant toy Store, 66jenscrafts, bestpricenews, buishandbag, buyersatisfaction2018, danawijetunge, faitolagi, kaziuk9, kennystandard, kum_store, linsh0p, nm-online-store, shafernand-27, tristco.service, wixmart, yan8858, BIWERR, Ewrrwangeng, Kusrusa, Micoda, mr789dt, pankangcong, STVTCT009, suyalingdong, ULTFIQ, Zhangyusheng97970, and zi-2707270 (the "Defaulting Defendants") (Dkt. No. 76);

WHEREAS on June 7, 2022, Plaintiff moved for a default judgment as to the Defaulting Defendants (Dkt. No. 81);

WHEREAS on September 28, 2022, this Court entered an Order to Show Cause, which directed Plaintiff to serve the Defaulting Defendants the order by October 3, 2022. The Defaulting Defendants' opposition papers were due on October 6, 2022. A show cause hearing was scheduled for October 13, 2022 (Dkt. No. 94);

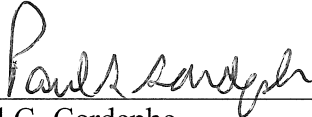
WHEREAS an affidavit of service was filed by Plaintiff on September 28, 2022, stating that Plaintiff had served each of the Defaulting Defendants with the Order to Show Cause and supporting papers on September 28, 2022 (Dkt. No. 95); and

WHEREAS the Defaulting Defendants have filed no opposition to Plaintiff's motion for a default judgment and did not appear at the October 13, 2022 hearing;

It is hereby ORDERED that default is entered against the Defaulting Defendants, and this matter is referred to Magistrate Judge Cott for an inquest into damages. The Clerk of Court is directed not to close this case.

Dated: New York, New York
October 13, 2022

SO ORDERED.



Paul G. Gardephe
United States District Judge